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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

Samuel Burningham,

Plaintiff,

v.

O'Reilly Auto Enterprises
d.b.a O'Reilly Auto Parts,

Defendant.

Case No.: 2:17-cv-00642-JNP-BCW

**NOTICE OF VOLUNTARY DISMISSAL
WITH PREJUDICE**

Assigned to: Judge Jill N. Parrish
Referred to: Magistrate Judge Brooke C. Wells

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(i) and DUCivR 54-1(b) and (d), Plaintiff, Samuel Burningham, hereby voluntarily dismisses this Action with prejudice.

RESPECTFULLY submitted on this 30th day of October, 2017.

/s/ Michael P. Studebaker
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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October 2017, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic filing to be served upon all e-filing counsel of record as follows:

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/s/ Lisa Stamper*

(I certify that I have the signed original of this document
which is available for inspection during normal business
hours by the Court or a party to this action)*